REMARKS/ARGUMENTS

The Office Action mailed March 17, 2009, has been carefully reviewed and these remarks are responsive to that office action. Upon the entry of this amendment, claims 1-5 and 8-15 are pending, and claims 6-7 have been cancelled. Claim 1 has been amended and claim 15 has been added. Reconsideration and allowance of this application are respectfully requested. The Examiner is requested to call the undersigned by phone if it is felt that this response does not place the Application in condition for allowance.

Rejections under 35 U.S.C. 103

Claims 1, 2, 6, 7, 8, 12 and 13 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Addington (U.S. Publication No. 2004/0261092), hereinafter referred to as Addington, in view of Eshun (U.S. Publication No. 2005/0031108), hereinafter referred to as Eshun. Amended independent claim 1 recites, among other things:

> transmitting a notification of the customer order <u>from the service provisioning system to the conditional access system</u>, the notification communicating customer desired cable operator services

Addington and Eshun, either alone or in combination, fail to teach at least this feature of independent claim 1. The Office on page 4 alleges that Addington teaches a similar feature of claim 1 and cites step 5 in Figure 20A and paragraph 235 of Addington for support. Figure 20A of Addington "illustrates one embodiment of provisioning a host on a one-way cable network." (See Addington at paragraph 44). Step 5 of Figure 20A of Addington shows that the "host retailer determines the appropriate information from the conditional access module, if provided (e.g., serial number, MAC address), and provides the data to the service provisioning input system. This information indicates the host brand and model as well. The data is communicated from the Provisioning Server Gateway to the appropriate billing system and then to the Enhanced Services System." (See Addington at paragraph 236). Thus, "a notification of the customer order <u>from the service provisioning system to the conditional access system</u>" is never transmitted, as claimed (emphasis added). In fact, Addington teaches away from such a

notification since information from the conditional access module is used to provide data to the service provisioning input system.

None of the cited references (e.g. Eshun, etc) overcome these deficiencies, and for at least these reasons, Applicant submits that amended independent claim 1 distinguishes over the references of record and is in condition for allowance. Claims 2, 8, 12 and 13 depend from claim 1, and are distinguishable for at least the same reasons as claim 1, and further in view of the various features recited therein. Claims 6-7 have been cancelled, thus rendering their rejections moot.

Claims 3 and 4 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Addington and Eshun as applied to claims 1 and 2 above, and further in view of Steenkamp (U.S. Publication No. 2004/0168184), hereinafter referred to as Steenkamp. Claims 3 and 4 depend from claim 1, and are distinguishable for at least the same reasons as claim 1, and further in view of the various features recited therein.

Claims 5 and 9 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Addington and Eshun as applied to claim 1 above, and further in view of Cochran (U.S. Patent No. 7,080,397), hereinafter referred to as Cochran. Claims 5 and 9 depend from claim 1, and are distinguishable for at least the same reasons as claim 1, and further in view of the various features recited therein.

Claim 10 is rejected under 35 U.S.C. 103 (a) as being unpatentable over Addington and Eshun as applied to claim 1 above, and further in view of Jost (U.S. Patent No. 7,251,820). Claim 10 depends from claim 1, and is distinguishable for at least the same reasons as claim 1, and further in view of the various features recited therein.

Claim 11 is rejected under 35 U.S.C. 103 (a) as being unpatentable over Addington and Eshun as applied to claim 1 above, and further in view of Freeman (U.S. Publication No. 2003/0035540), hereinafter referred to as Freeman. Claim 11 depends from claim 1, and is distinguishable for at least the same reasons as claim 1, and further in view of the various features recited therein.

Claim 14 is rejected under 35 U.S.C. 103 (a) as being unpatentable over Addington and Eshun as applied to claim 1 above, and further in view of Rakib (U.S. Publication No. 2004/0181800), hereinafter referred to as Rakib. Claim 14 depends from claim 1, and is distinguishable for at least the same reasons as claim 1, and further in view of the various

features recited therein.

New Claim

New independent claim 15 has been added and has similar features to those of
independent claim 1 discussed above. Claim 15 recites, inter alia:

> transmitting a notification of the customer order <u>from the billing system to the</u>
> <u>conditional access system</u>, the notification communicating customer desired cable
> operator services;

For similar reasons given above for claim 1, Addington does not teach "transmitting a
notification of the customer order <u>from the billing system to the conditional access system</u>," as
claimed. Rather, Addington teaches away from such a notification since information from the
conditional access module is used to provide data to the service provisioning input system and
eventually to the billing system. None of the cited references (e.g. Eshun, etc) overcome these
deficiencies, and for at least these reasons, Applicant submits that new independent claim 15
distinguishes over the references of record and is in condition for allowance.

All objections and rejections have been addressed. Hence, it is respectfully submitted that the present application is in condition for allowance, and a notice to that effect is earnestly solicited.

Respectfully submitted,

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